

Further, it is not immediately apparent whether the amended complaint presents a federal question pursuant to 28 U.S.C. § 1331.

A court has “an independent obligation to determine whether subject-matter jurisdiction exists, even in the absence of a challenge from any party.” Arbaugh v. Y&H Corp., 546 U.S. 500, 514, 126 S.Ct. 1235, 163 L.Ed. 1097 (2006); see also Ashcroft v. Iqbal, 556 U.S. 662, 671, 129 S.Ct. 1937, 173 L.Ed. 868 (2009) (“Subject-matter jurisdiction cannot be forfeited or waived and should be considered when fairly in doubt.”).

Accordingly, the Clerk is respectfully **DIRECTED TO SCHEDULE** a status conference and a hearing on the Motion for Extension. The parties are advised that during those proceedings they should be prepared to discuss the issues referenced above and whether the Court may exercise federal subject matter jurisdiction over this case.

The Motion for Extension (Doc. 2) is **HELD IN ABEYANCE**. Montreat is not required to file an answer or otherwise respond to Plaintiff’s claims pending further order of the Court.

It is so ordered.

Signed: October 18, 2023



W. Carleton Metcalf
United States Magistrate Judge

